

Minutes of Meeting  
Dagsboro Town Council  
Bethel Center- 28307 Clayton Street  
Monday September 22, 2014

Call Meeting to Order: The regular meeting of the Town Council was called to order at 7:00p.m. By Brad Connor, Mayor. Those in attendance were Mayor Connor, Stacey Long, Town Administrator, Vice Mayor Truitt, Councilwoman Ulrich, Councilwoman Eckerd, Councilman Baull, Attorney Rob Witsil Jr., Kyle Gulbranson, Town Planner and others listed on the sign in sheet.

Water Quality Assessment: Tom Delorimier, the Manager of Engineering for Artesian Water Company, presented a report for the assessment of the chlorine residual and quality of water. Mr. Delorimier states that the water flows from Millsboro and by the time it gets to the Town of Dagsboro, the residual starts to diminish. With the size of the pipes there is almost nine days' worth of storage in our distribution lines and tank. Mr. Delorimier states that Artesian performed a pressure test of the tank and based on how the Town's system operates it is supposed to empty 50% of the tank and refill with fresh water. Mr. Delorimier suggests that the easiest solution would be putting in a regulating valve. He also suggests that where our meter is located now, installing another valve to shut the system down based on pressure. Mr. Delorimier states that the cost would be between \$40,000 and \$50,000 to install the valve. Councilwoman Eckerd asks about the film in the pipes and Mr. Delorimier answers that the film is eating up the chlorine residual that is already in the system. Councilwoman Eckerd asks if Millsboro helps with the \$40-\$50,000. Stacey states that based on the Town's agreement with Millsboro that Dagsboro will have to bear the cost. Kyle suggests that we consider how much money we would be losing by flushing more regularly. Maybe we could start the flushing regiment while we are planning for the other recommendation. Stacey states that last year we approved an additional flushing with DRWA because our contract with Artesian provides one flushing a year where they exercise the valves and the hydrants. Stacey states the additional flushing that was approved last year cost, an additional \$5700. Mr. Delorimier suggests that we focus on the areas where we have problems with dead ends. Stacey states we purchased two automatic flushers and we have switched them around during the summer to get the water flowing more. Councilwoman Eckerd asks how it will affect our water pressure. Mr. Delorimier answers that we will not notice the pressure change or run out of water. Kyle states that the problem is stale water that sits so long. It was decided that the Mayor and Stacey look into obtaining grant funds for this.

Approval of Minutes: Vice Mayor Truitt made a motion to accept the July 28, 2014 Town Council minutes and Councilman Baull seconded the motion. All were in favor. Motion carried.

Planning & Zoning Report & Action if needed on, the Following:  
Dagwoods Deli:

The project was reviewed by the Planning Commission on September 10, 2014. Kyle states the Planning Commission requested that the loading zone and dumpster location be indicated on the plan that was submitted. Kyle states the applicant requested a two year period in which the parking lot will be paved. Kyle states the Planning Commission reviewed and recommended that the change of use be approved with the condition that he has two years to pave the drive and parking lot. Kyle states that the construction plans for the inside of the building have been reviewed and everything is in order. They have received the Fire Marshall's approval, the Department of Public Health approval for water and restaurant requirements and Deldot is okay with the entrance and exits. Councilwoman Eckerd asks if he could clear out the ditch by the exit and put stones around it. Mr. Bratton answers that he will do that. Mr. Witsil asks if Mr. Bratton has submitted a certificate of compliance for alcoholic beverage service. Mr. Bratton answers no. Stacey states as a reminder to Mr. Bratton he would have to apply for a sign permit separately. Vice Mayor Truitt made a motion to approve the change of use with the conditions proposed for the two year paving limit. Councilman Baull seconded the motion. All were favor. Motion carried.

Comprehensive Land Use Plan: Kyle states that the two changed areas were the Transportation Section and the Demographic Section. He states that the two went back to the Planning Commission and the Demographic Section was fine. Due to some changes with the Botanical Gardens, the Planning Commission felt that there needed to be additional language about the impacts on Piney Neck Road. This section will be revised and sent back to the Planning Commission for their recommendation for approval.

New Business:

Water Quality Assessment from Artesian:

Mayor Connor states that we are going to pursue inquiring about grants.

Review of Ordinance to Amend Chapter 146 Section 3 (E) (1): Mayor Connor states that if someone owns and rents out multiple properties they will have to pay \$75.00 for each unit. Councilman Baull made a motion to hold a public hearing during the October Council meeting and it was seconded by Councilwoman Ulrich. All were in favor. Motion carried.

Review and Consideration of Entering into a MOU with the Fire Marshall: Kyle states that the State Fire Marshalls office has memorandums of understanding with municipalities throughout the State. It talks about the responsibilities of the Town and Fire Marshall's office. He also states it outlines what the procedures are for approvals. Kyle states that single family homes are exempt from this requirement. Also existing home renovations are excluded as well. This just deals with commercial structures only. Councilwoman Ulrich made a motion to accept the Memorandum of Understanding between the State of Delaware Fire Marshall and the Town of Dagsboro. Councilwoman Eckerd seconded the motion. All were in favor. Motion carried.

Old Business:

Review of Ordinance to Amend Chapter 146 to add a Vendor's License: Vice Mayor Truitt made a motion to set a Public Hearing for the October Council Meeting to amend Chapter 146 of the code as recommended by the Parade Committee. Councilman Baull seconded the motion. All were in favor. Motion carried.

Reports:

Police Department

Chief Toomey presented the July and August reports. He stated in the last two months they issued 543 traffic citations, 98 criminal arrests and they have 3 outstanding warrants left. He states they started a project called Fugitive Fridays. He informed them that they had a total of 18 traffic accidents, 120 calls for service in the two month period, 517 patrolled hours conducted.

Chief Toomey explained that an on-going problem is the vacation for the employees. He states that the vacation policy is no accumulation to be carried over to the next year. Sgt. Litten will have 12 vacation days and 5.5 holidays and that is excluding Thanksgiving and Christmas. Chief states he has 3 months to use it with proper coverage. He states Patrolman Paskey is going to have 6 vacation days and 10.5 holidays. He has 15 vacation days and 7.5 holidays. Chief suggests what is accumulated be carried over for one year. Councilwoman Ulrich states that holidays shouldn't be carried over. Chief states that the recent graduate from the academy was the only one able to carry over holidays.

Stacey said the Personnel Policy was adopted in April 2005. She explained that she is reviewing our current policy in an effort to update it. She will discuss this vacation carry over issue with Chief and the Mayor and possibly present changes if needed.

Chief states they have found a replacement for Ober and her name is Kristin Miller. She was a Police Officer at Rehoboth and Ocean View. Chief states she has approximately 15 years in uniform. Ms. Miller had an illness and she has been out of law enforcement for almost five years. Chief states they have done the interview and the medical and she has been released. Miller has done her psychological evaluation and was released. Chief states they are waiting on the results of the urine analysis and as of October 12, 2014 Ms. Miller will hit her five year out of law enforcement and would have to put her through the academy if we decide to hire her after that date. Chief states they will put Ms. Miller through recertification on Firearms and through 3 eight hour courses on Criminal Law, Traffic Law and Criminal Procedures if she is hired. Ms. Miller is an EMT so the 40 hour medical class will be waived.

Mayor Connor states that the money is in the budget and Ms. Miller agrees with the salary. Councilman Baull made a motion to hire a new police officer and it was seconded by Councilwoman Eckerd. All were in favor. Motion carried.

Chief states the officers had a complaint and it led to a civil seizure of monies. They seized \$ 6,010 that resulted in the chief meeting with the NAACP. Chief states the money is with the Attorney general.

Treasurer's Report: Checking \$196,822.25, Public Service Money Market \$6,681.15, Police Department Grant Acct. \$705.55, Police Department Salary Acct. \$12,010.73, Transfer Checking Acct. \$5,611.51 and 4 CD's of \$28,051.69, \$47,758.25, \$55,145.38 and \$20,000. Water Checking Acct. \$77,583.23, Impact Fee Acct. \$207,155.57, Reserve Acct. \$35,815.35, SALLE/EIDE Acct. \$281.72, Prince George's Cemetery Checking Acct. \$579.07, Savings Acct. \$2,771.27. 3 CD's of \$32,693.51, \$44,672.84 and \$32,055.74. Municipal Street Aid \$4.03. Stacey states we will receive Municipal Street Aid Funds in October. Councilwoman Eckerd made a motion to accept the Treasurer's Report and it was seconded by Vice Mayor Truitt. All were in favor. Motion carried.

Administrative Report: Stacey states the sink hole on Sussex Street was advertised and there were no bids submitted. She states we are still in the process of looking for contractors to bid on the project. She has been keeping Representative Atkins' and Senator Hocker's secretaries advised of the status, since they have agreed to fund the project.

Stacey stated during the July Council meeting we approved the Ward Lane street repair and that was completed on July 30, 2014.

Stacey attended the Manager's Conference from September 13 through September 18 and a report of the conference will be forthcoming.

Stacey states there is a new store called Healthy Habits. The Certificate of Occupancy was issued on August 14, 2014 and Stacey issued a business license on August 18, 2014. There have been several courtesy attempts via phone and e-mail notifying them that they need to apply for sign permits which they have not done. Stacey states since they have neglected to contact her she will be issuing a violation letter.

Building Official: Stacey states there were four permits issued. One for a 16X28 pole building on Queen Anne Street, one for a single family home with a deck on Hudson Street, a 4X4 wall sign on Clayton Street and a garage and sunroom addition on New Street. Dagsboro Church of God: The public assembly license and water meter removal was discussed at the July meeting. It was inspected by URS and it was advised that they apply for a public assembly license. She has contacted the Church of God and they have advised her they are in contact with the Fire Marshall's Office to obtain the proper license. Stacey states there were three Certificate of Occupancies issued: one for unit 3 at the Woodlands of Pepper's Creek Duplex, one for a renovation of a front porch on Main Street and the last for Healthy Habits store on Main Street.

Code Enforcement: Stacey informed the Council that a meeting is scheduled for September 30 at 10 a.m. to discuss the interior and exterior inspection with Mr. Marconi on Main Street. Stacey states we will be reviewing the list of items that need to be corrected and establish a deadline for those items to be completed.

Water Department: Stacey states the tank maintenance has been scheduled for October 14. URS is working with the Town of Millsboro and the tank will be out of service for approximately 3 days. The Fire Department will be notified and we will post the information on our website and Facebook page.

Prince George's Cemetery: Stacey states she has sent correspondence to the State regarding the split rail fencing and the cemetery irrigation inquiry as well. Stacey states we notified Czapp Masonry about the brick wall and they will be making the repairs once the insurance sends the funds.

Christmas Parade Committee: The next meeting will be held on Tuesday September 23<sup>rd</sup> at 6p.m. at the Town Hall.

Public Comment: Section 17.6 Adopted Rules and Regulations of the Town Council Mr. Bratton of Dagwoods Deli wants to put black and white photos in the restaurant of Dagsboro. He is asking for pictures from the people in Town.

Vice Mayor Truitt made a motion to recess at 8:05 p.m. and enter into Executive Session and it was seconded by Councilwoman Eckerd. All were in favor. Motion carried.

At 8:39 p.m. Vice Mayor Truitt made a motion to re-enter Regular Session. Councilman Baull seconded the motion. All were in favor. Motion carried.

Councilwoman Eckerd made a motion to approve the Executive Session minutes for May 19, 2014. Councilman Baull seconded the motion. All were in favor. Motion carried.

At 8:40 p.m. Councilwoman Ulrich made a motion to adjourn and it was seconded by Vice Mayor Truitt. All were in favor. Motion carried.

Respectfully Submitted,

Autumn Miller, Town Clerk

